

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 EA-09 ISO-00 L-03 JUSE-00 FTC-01
SEC-01 SP-02 USIA-15 AID-05 NSC-05 EPG-02 TRSE-00
SS-15 STR-04 OMB-01 CEA-01 CIAE-00 COME-00 FRB-01
INR-07 NSAE-00 XMB-04 OPIC-06 LAB-04 SIL-01 PA-02
PRS-01 /110 R

DRAFTED BY EB/IFD/BP:TASCHLENKER:VJW

APPROVED BY EB/IFD/BP:TASCHLENKER

EA/J - DSMITH (SUBS)

L/EB - SBENSON

-----180713Z 126910 /21

R 172024Z JUN 77

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO

INFO AMEMBASSY PARIS

UNCLAS STATE 141311

USOECDD

E.O. 11652: N/A

TAGS: ETRD, OECD

SUBJECT: ANTITRUST: JOINT CONSTRUCTION MACHINERY VENTURE

1. DEPARTMENT HAS BEEN INFORMED BY DEPARTMENT OF JUSTICE (DOJ) THAT IT IS CONDUCTING AN INVESTIGATION INTO POSSIBLE ANTICOMPETITIVE PRACTICES BETWEEN BUCYRUS-ERIE COMPANY OF MILWAUKEE, A U.S. FIRM, AND A JOINT VENTURE, A JAPANESE COMPANY CALLED KOMATSU-BUCYRUS, K.K. THE JOINT VENTURE IS OWNED 40 PERCENT EACH BY BUCYRUS AND KOMATSU AND 10 PERCENT BY MITSUI AND IS INVOLVED IN CONSTRUCTION MACHINERY.

2. DOJ BELIEVES THAT THERE ARE AGREEMENTS BETWEEN THE U.S.

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COMPANY, THAT IS BUCYRUS-ERIE, AND THE JAPANESE JOINT VENTURE THAT MAY VIOLATE THE SHERMAN AND/OR WILSON TARIFF ACTS BECAUSE THE AGREEMENTS RESTRICT IMPORTS INTO THE U.S. AND/OR ARE OVERBROAD IN THEIR PROTECTION OF KNOW-HOW.

3. JUSTICE HAS SENT LETTERS REQUESTING THE VOLUNTARY SUBMISSION OF DOCUMENTS AND INFORMATION FROM THE U.S. COMPANY

AND THE U.S. SUBSIDIARIES OF KOMATSU AND MITSUI. EMBASSY
IS REQUESTED TO INFORM THE SECOND INTERNATIONAL ORGANIZA-
TION SECTION OF THE MINISTRY OF FOREIGN AFFAIRS OF
THE FOREGOING PURSUANT TO THE 1967 OECD RECOMMENDATION OF
NOTIFICATION ON RESTRICTIVE BUSINESS PRACTICES AND REPORT
ANY REACTIONS. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ANTITRUST, INVESTIGATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE141311
Document Source: CORE
Document Unique ID: 00
Drafter: TASCHLENKER:VJW
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770218-0534
Format: TEL
From: STATE
Handling Restrictions: n/a
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Original Classification: UNCLASSIFIED
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Original Previous Classification: n/a
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Retention: 0
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Review Event:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2108551
Secure: OPEN
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Subject: ANTITRUST: JOINT CONSTRUCTION MACHINERY VENTURE
TAGS: ETRD, JA, US, OECD
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Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e47c827a-c288-dd11-92da-001cc4696bcc
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